

Remarks

In response to the Office Action dated March 13, 2007, Applicants respectfully request reconsideration based on the above claim amendment and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. In the present application, independent claims 1, 20, 21, and 26 have been amended and claims 11 and 13-19 have been cancelled without prejudice or disclaimer.

Applicants' Statement of the Substance of the Interview

A telephonic interview between the undersigned representative for the Applicants and the Examiner was held on May 8, 2007 to discuss a proposed amendment to overcome the prior art rejection of claim 1 by Salmenkaita. In the interview, a discussion was held with respect to amending claim 1 (as well as additional claims) in order to differentiate between the various instructions and why one type of instruction is compatible with one operating system and not the other. It was further discussed that it was not possible to execute a command of the second computer from the first computer and that claims 1, 21 and 26 needed amendments to clarify.

Claim Rejections - 35 U.S.C. §112

First Paragraph

Claims 1-10, 12 and 21-27 are rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement such that they contain subject matter not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor had possession of the claimed invention. More specifically, the Office Action asserts that the claim recitation 'remotely, from the first computer, executing said second instruction...on second computer' in claims 1, 21 and 26 is not possible to be practiced based on the description in the specification. Independent claims 1, 21 and 26 have been amended to strike the phrase "remotely, from the first computer". As such, Applicants respectfully assert that amended independent claims 1, 21 and 26 now comply with §112, first paragraph and the rejection may be withdrawn. Claims 2-10, 12, 22-25 and 27 depend from one of allowable amended independent claims 1, 21 or 26 and as such the §112 rejection may be withdrawn for these claims as well as a dependent claim inherits all of the recitations of its parent .

In regard to claim 20, claim 20 has been amended to recite “a second computing system having stored thereon software which when executed on the second computing system...”. Applicants respectfully assert that the recitation of amended independent claim 20 complies with §112, first paragraph and that the §112 rejection may now be withdrawn.

Second Paragraph

Claims 20 and 26 stand rejected under 35 USC §112, second paragraph, as failing to point out and distinctly claim the subject matter which Applicants regard as the invention. More specifically, the Office Action asserts that the claim recitations regarding “the instructions” in light of the XML being translated and transmitted appear to be unclear and confusing. The Office Action also identifies instances of insufficient antecedent basis. Independent claims 20 and 26 have been amended significantly to clarify the nature of the instructions. Applicants believe that the current amendments point out and distinctly claim the subject matter of embodiments of the invention. As such the, the rejections may be withdrawn.

Claim Rejections - 35 U.S.C. §102

Claims 1-10, 12 and 20-27 are rejected as being anticipated by Salmenkaita (U.S. Patent App. 2004/0176958). Applicants respectfully traverse the rejections.

Amended independent claim 1 specifies a method for providing remote computer access on a second computer from a first computer over a network. The method comprises, via a first user interface, receiving a first hardware input instruction by a proprietary operating system on the first computer for execution, the first hardware input instruction being operationally compatible with the proprietary operating system and operationally incompatible with a second operating system executing on the second computer which incorporates a second user interface, wherein the first user interface is dissimilar to the second user interface. The method further comprises translating the first hardware input instruction into a non-proprietary data script defining at least one XML item utilizing a first device driver resident in the proprietary operating system on the first computer, wherein the first device driver formats the first hardware input instruction into at least one XML item corresponding to the first hardware input instruction, transmitting the non-proprietary data script defining the at least one XML item from the first computer to the second computer and translating the non-proprietary data script defining the at

least one XML item into a second hardware input instruction utilizing a second device driver in the second operating system on the second computer, wherein the second device driver translates the at least one XML item corresponding to the first hardware input instruction into the second hardware input instruction, the second hardware input instruction being compatible with the second operating system on the second computer and incompatible with the proprietary operating system on the first computer, said second hardware input instruction being functionally similar to the first hardware input instruction for execution on the second computer; and executing said second hardware input instruction on said second computer.

It is respectfully submitted that Salmenkaita fails to teach each and every feature specified in amended claim 1. Salmenkaita discusses a system using voice commands from a wireless device to instantiate an application on a network server. The voice commands correspond to a short list of previously defined voice short-cuts to instantiate one of several user services that may be accessed from the wireless device. The voice short-cuts are voice XML tags where a voice recognition device translates the voice commands to voice XML. A network server then identifies a service corresponding to a voice short-cut matching a user's voice command (see paragraphs 0008 and 0052).

In general it appears that in Salmenkaita, the operating systems of the wireless device and the network server are compatible. Salmenkaita fails to disclose two computer systems having operating systems which generate incompatible instructions (with respect to each other) and which instructions are translated utilizing an operating system device driver for translating the incompatible instructions to XML by formatting the instructions into a corresponding XML element. Salmenkaita does describe translating verbal commands to voice XML and that voice commands are incompatible with the operating system of the wireless device. However, Applicants respectfully note that the operating system of Salmenkaita is not disclosed as being directly compatible with raw voice commands. Therefore, just because the operating system of Salmenkaita requires the translation of verbal utterances to some other format that is compatible with its operating system, it does not follow that Salmenkaita is suggesting that the wireless device operating system is incompatible with that of the network server.

Specifically, Salmenkaita fails to disclose "via a first user interface, receiving a first hardware input instruction by a proprietary operating system on the first computer for execution, the first hardware input instruction being operationally compatible with the proprietary operating

system and operationally incompatible with a second operating system executing on the second computer which incorporates a second user interface, wherein the first user interface is dissimilar to the second user interface”, as specified in amended claim 1. For example, Salmenkaita fails to disclose the translation of XML voice short-cuts, after being received at the network server, into incompatible instructions with respect to the wireless device. In fact, Salmenkaita discloses receiving voice command data and short-cuts from the wireless device and using this information without any translation whatsoever (see paragraph 0052).

Based on the foregoing, it is respectfully submitted that amended independent claim 1 is allowable and the rejection of this claim should be withdrawn. Claims 2-10 and 12 each depend from amended independent claim 1 and thus specify at least the same features. Therefore, these claims are allowable for at least the same reasons. Amended independent claims 20, 21, and 26 specify similar features as amended independent claim 1 and thus are also allowable for at least the same reasons. Claims 22-25 and 27 depend from amended independent claims 21 and 26, respectively, and thus specify at least the same features. Therefore, these claims are also allowable for at least the same reasons. Accordingly, the rejection of claims 2-10, 12, and 20-27 should also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicants’ attorney at the number listed below.

No fees are believed to be due other than the fee for the RCE being filed herewith. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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